



PUBLIC NOTICE

Federal Communications Commission
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Released: August 19, 2011

DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF ESSEX TELCOM, INC. TO JAB WIRELESS, INC.

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 11-132

Comments Due: September 2, 2011
Reply Comments Due: September 9, 2011

On July 26, 2011, Essex Telcom, Inc. (Essex) and JAB Wireless, Inc. (JAB) (together, Applicants) filed an application pursuant to section 63.03 of the Commission's rules¹ to transfer control of Essex to JAB.

Essex, an Illinois corporation, provides competitive local exchange carrier and interstate services to residential and business customers in Illinois. Essex's sole shareholder is the company's current president, Mr. Daniel D. Heath, a U.S. citizen, who owns 100 percent of the issued and outstanding shares of Essex.

JAB, a Colorado corporation, provides Voice over Internet Protocol, wireless broadband, and other offerings in Colorado, Utah, Texas, Idaho, Wyoming, and Oklahoma through several wholly-owned subsidiaries. Applicants state that ABRY Senior Equity II, L.P. (ABRY), a Delaware investment company, holds a 21 percent equity interest in JAB. ABRY Senior Equity Investors II, L.P., a Delaware investment company, is the sole general partner of ABRY. The sole general partner of ABRY Senior Equity Investors II, L.P. is ABRY Senior Equity Holdings II, LLC, a Delaware limited liability company. All of the voting securities of ABRY Senior Equity Holdings II, LLC are held by Mr. Royce Yudkoff, a U.S. citizen.² Applicants state that no other entity owns or controls more than 10 percent of the equity of JAB.

Under the terms of the August 1, 2011 merger agreement between Essex and JAB's wholly-owned subsidiary, Skybeam, Inc., Essex will merge into a newly formed subsidiary of JAB, Skybeam-Essex, Inc. (Skybeam Essex), a Colorado corporation and a wholly-owned subsidiary of Skybeam, Inc. Upon consummation, JAB will indirectly own 100 percent of Skybeam-Essex. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(i) of the

¹ 47 C.F.R. § 63.03; see 47 U.S.C. § 214. Applicants filed a supplement to their application on August 17, 2011.

² ABRY investment entities have ownership interests in companies providing competitive telecommunications services in multiple states.

Commission's rules, and that a grant of the application will serve the public interest, convenience, and necessity.³

Domestic Section 214 Application Filed for the Transfer of Control of Essex Telcom, Inc. to JAB Wireless, Inc., WC Docket No. 11-132 (filed July 26, 2011).

GENERAL INFORMATION

The transfer of control identified herein has been found, upon initial review, to be acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 CFR § 63.03(a), interested parties may file comments **on or before September 2, 2011**, and reply comments **on or before September 9, 2011**. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.⁴ Comments should be filed using the Commission's Electronic Comment Filing System (ECFS). See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.

In addition, e-mail one copy of each pleading to each of the following:

- 1) The Commission's duplicating contractor, Best Copy and Printing, Inc., fcc@bcpiweb.com; phone: (202) 488-5300; fax: (202) 488-5563;
- 2) Tracey Wilson, Competition Policy Division, Wireline Competition Bureau, tracey.wilson@fcc.gov;
- 3) Alex Johns, Competition Policy Division, Wireline Competition Bureau, alexis.johns@fcc.gov; and
- 4) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

Filings and comments are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554; telephone: (202) 488-5300; fax: (202) 488-5563; e-mail: fcc@bcpiweb.com; url: www.bcpiweb.com.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

For further information, please contact Tracey Wilson at (202) 418-1394 or Alex Johns at (202) 418-1167.

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³ 47 C.F.R. § 63.03(b)(2)(i).

⁴ Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.